

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | |
|--|---|
| MATTHEW HERRON, et al. v. MORTGAGENOW, INCORPORATED, et al. | CIVIL ACTION NO. 12-3605 |
|--|---|

ORDER

AND NOW, this 7th day of March 2013, after reviewing Defendant James Marchese's Counterclaims (ECF 25), the Motion to Dismiss Marchese's Counterclaims (ECF 31), Marchese's Response (ECF 34) and the subsequent Reply (ECF 35), it is hereby **ORDERED** that Marchese's Counterclaims are dismissed. Marchese's claims for injuries directly to himself, Publicity Placing Him in a False Light and Malicious Prosecution, are **DISMISSED WIHOUT PREJUDICE**, but all of his claims based on rights belonging to and injuries suffered by Defendant MortgageNOW, Incorporated are **DISMISSED WITH PREJUDICE**.

BY THE COURT:

/s/ Michael M. Baylson

Michael M. Baylson, U.S.D.J.